

between our law enforcement and our citizens.

Defending democracy and the rule of law—the very freedoms we as a nation hold so dear—is hard work. It is made harder when the very individuals sworn to uphold the law work so hard to undermine it.

The Justice Department is the only Cabinet agency named after an ideal, and Mr. BARR has forfeited his ability to effectively lead it.

In particular, the Justice Department inspector general will investigate how U.S. marshals have used force in Portland and how other parts of the Justice Department—such as the FBI, Drug Enforcement Administration, and Bureau of Alcohol, Tobacco, Firearms and Explosives—were used in the Nation's Capital.

The inspector general of the Department of Homeland Security has said he opened an investigation into allegations that Customs and Border Protection agents improperly detained and transported protesters in Portland and that he would review the deployment of DHS's personnel in recent weeks.

America is not under siege, as the President would like citizens to believe—except by a President who freely uses aggressive law enforcement as a prop to distract the country from his flailing response to the pandemic that has crippled our Nation. Citizens are rightly concerned that the administration has deployed a secret police force, not to investigate crimes but to intimidate individuals it views as political adversaries.

Several former Secretaries of Homeland Security have sounded the alarm as well. Michael Chertoff, a Secretary of Homeland Security under George W. Bush, wrote recently:

The Trump administration's deliberate decision to intervene in the Portland protests with a heavy hand, unconventional means and inflammatory political rhetoric has contributed to growing public distrust—particularly of the Department of Homeland Security.

Critics of the department are now rightly worried that its law enforcement agents might be increasingly deployed by President Trump to score political points, or even interfere with the November election.

Secretary Chertoff concluded:

These actions, now or into the future, endanger our democracy and undermine the nation's safety—by hurting the department's ability to carry out its core mission of protecting Americans from genuine threats to our security.

Tom Ridge, the first Secretary of Homeland Security after its creation, said that the presence of Federal authorities in Portland, OR, as protests continue in the city, is not consistent with the Department of Homeland Security's mission. He noted that the first words of the Department's vision statement that he helped establish are “preserving our freedoms.”

Secretary Ridge continued:

When they appear to be quasi-military rather than law enforcement, I think it's like pouring a little bit of gasoline on the

fire. . . . Preserving the right to dissent is something very important.

Now, I know President Trump has threatened to send additional Federal officers to Baltimore and other cities to quell any further dissent or protests. Let me remind President Trump that the protests in Baltimore after the death of George Floyd in police custody have been peaceful, so we don't need additional Federal agents designed to crack down on free speech and peaceful protests, nor do we want Federal agents to come to Baltimore with the purpose of escalating tensions with the community or trying to provoke or incite violence or to discourage the lawful right of citizens exercising their First Amendment.

Instead, in Baltimore, we want to continue working cooperatively with our Federal partners, like our U.S. attorney, to address the stubborn problems involving drug gangs and the high violent crime and murder rate. Ensuring the safety of our communities requires an all-hands-on-deck approach. In Baltimore, we are using a task force known as the Baltimore Organized Crime Drug Enforcement Task Force Strike Force, which is made up of local, State, and Federal partners. This task force only works due to continued transparency, collaboration, and engagement with the community throughout this process.

Together, the citizens of Baltimore will keep working with our law enforcement authorities to improve safety in our neighborhoods and on our streets. The city of Baltimore and the U.S. Department of Justice are continuing to work closely together, along with our U.S. District Court for the District of Maryland, to fully implement a consent decree to bring constitutional policing to Baltimore residents so that the police adopt a guardian instead of a warrior approach.

Instead of spreading divisive rhetoric and taking escalatory actions against our citizens—tactics recently employed by President Trump—we should focus on working constructively at the Federal, State, and local level to promote proven strategies and solutions—like the strike force—that effectively reduce crime and improve safety.

I look forward to the findings and recommendations of the inspectors general of those two Departments to make clear what went wrong and to take steps to make sure this type of Federal law enforcement authority is never abused again in the future.

I would hope that all my colleagues would recognize the threat of these actions to the protections in the First Amendment of our Constitution, and we will work together as one body to protect the lawful rights of our citizens to protest their disagreements with government in a peaceful way.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TROOP WITHDRAWAL

Mr. DURBIN. Mr. President, I am vice chairman of the Defense Appropriations Subcommittee. It is an awesome responsibility and assignment. We end up dealing with over 50 percent of the discretionary domestic spending each year in the United States. I work with my chairman, Senator SHELBY, and I have worked with others in the past trying to keep up with a changing environment in the world and a changing agenda in Washington. Many of the briefings I receive are open and public, and many are also classified.

Last week, I met with the top U.S. commander in Europe, General Tod Wolters. General Wolters provided for me and Senator SHELBY a classified briefing on the Trump administration's plans to remove almost 12,000 American troops from Germany. Yesterday, the Secretary of Defense, Mark Esper, made a similar briefing but publicly to the press.

I am extremely concerned by both the classified and unclassified information I have been given about this plan and by the differences in the briefing I received compared to the public announcements from the Secretary of Defense yesterday. Let me start off by saying that this plan makes no sense. While some are framing this as an improvement of our military posture in Europe, I don't buy it. Nobody else should either.

Germany now spends 1.3 percent of its gross domestic product on defense. Along with a majority of NATO members, Germany has agreed to reach a goal of 2 percent of GDP on defense. Germany ought to make good on its word; that is for sure. But to be clear, many, including President Trump, fail to appreciate that there is much more to NATO's importance than simply meeting a spending goal. In fact, there are many important ways to evaluate this historic NATO alliance and judge the commitment of each member, including the political will of its leaders, its shared vision and values, and the interoperability of our military through regular training. All of these things add to NATO's deterrence. But President Trump is clearly just using this argument about the percentage contribution and insufficient spending to drive a petty and personal grudge against Germany.

How do we know this? Because—listen to this—the countries that would be receiving our troops transferred out of Germany also do not meet the 2 percent goal.

President Trump was reportedly angry that German Chancellor Merkel declined an invitation for an in-person G7 summit in the United States in the middle of this global pandemic. Think

of that: She was worried about the health consequences of such a meeting. We are canceling gatherings right and left in America because of a genuine concern we have for the well-being of one another. Chancellor Merkel's position is hardly unreasonable. It makes sense. Many of the statements and conduct from the President Trump do not.

Amidst this snub to our NATO allies, President Trump continues to try to bring President Putin and Russia into the G7, even after reports about Russian bounties being put on American soldiers in Afghanistan and the President's failure time and again since this has been disclosed to raise the issue with Vladimir Putin.

During the briefing last week, I understood there would be a distributive process for planning how these troops would be moved and when they would be moved. We would discuss the infrastructure that needs to be built in the United States as well as in Europe, and we would be in close consultation with our allies in the process.

In contrast, the Vice Chairman of the Joints Chief of Staff, General Hyten, stated yesterday that there is a planning process occurring. He also went on to say that "we'll start moving right away with forces moving right away." Really? Without the planning? It sounds like this general is snapping to the attention of the President, who is determined to poke the German Chancellor in the eye. Shouldn't our highest priority be the defense of America rather than a spite match?

If I am confused about how quickly this plan has unfolded, I will bet the rest of our NATO allies are as well.

I might also say that I received a preliminary cost estimate on how much American taxpayers will have to pay for this political adventure by President Trump. This figure is still classified. I am sorry that it is, but I can assure you the costs are substantial. Secretary Esper was dismissive yesterday of its cost; he should not be. It is substantial.

Hiding the costs of this troop realignment plan brings to mind the President's campaign promise that Mexico was going to pay for our border wall. In reality, the Department of Defense paid for a large part of it because the President diverted funds appropriated for our national defense to this Captain Queeg venture of his on our southern border.

The Defense Department should make cost estimates of this plan public today. Let the American people know what the President expects us to spend in order for him to get the last word with Angela Merkel. The American people ought to decide for themselves whether this is a cost worth bearing.

Let me tell you what has been conspicuously absent from both public and private briefings, and that is whether our commitment to our real allies in Europe and NATO is really designed to address the frontline of potential Russian aggression and provocation. I

know what that frontline is, and most people do as well—the Baltics and Poland, Lithuania, Latvia, Estonia, and Poland—here are four countries that have the most to lose if Putin chooses a path to war. Each of them meets and exceeds the spending goals for NATO. But this plan for the reallocation and reassignment of U.S. troops does not help these four countries.

I went through the briefing. Those four countries weren't raised in the briefing. I raised them in a question afterward: Why are these countries being overlooked if we are moving troops to make Europe safer? Instead, the Department of Defense yesterday threw in as an aside a vague assurance—maybe just a possibility—that sometime, maybe in the future, more American troops might rotate through those countries for short periods of time. Major parts of the plan that I saw and part of the plan that was released yesterday actually move American troops and NATO allies further away from Russia.

Vladimir Putin is getting the last laugh again when it comes to this President. Vladimir Putin fears a united NATO. Sadly, President Trump has done everything he can to divide and diminish that NATO alliance. President Putin believes that as long as that NATO alliance is divided, he is in a stronger bargaining position. Sadly, he is right.

NATO is the most successful alliance in American history. Instead of strengthening it, the President of the United States is weakening it. Instead of leading it, he is undermining it. The best way to reassure our allies that we are with them is to scrap this plan now.

If this administration is so confident about how good an idea this is, tell the American people how much it is going to cost and explain why we are not reallocating our forces in Europe to the real frontline in Poland and the Baltics. Instead of pulling back our troops, we should be withdrawing this half-baked plan and start over anew with a focus on stopping aggression from Vladimir Putin and standing behind our traditional allies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF DEREK KAN

Mr. CARPER. Mr. President, I rise today to speak on the nomination of Derek Kan to serve as second in command at the Office of Management and Budget.

It is not every day that I stand here and endorse a nomination—a nominee—of a current President. So I don't want anybody to have a heart attack,

but I do want to stand up and say that this is a good nomination. I wish we had more like him. I am pleased that at least we have this one today to consider.

Derek Kan served previously as Under Secretary for Transportation Policy at the Department of Transportation, where he served as a principal adviser to the Secretary and provided leadership in the development of policies at the Department.

I have a couple of quotes here from two of my Democratic colleagues that referenced his time at the Department of Transportation. One of our Democratic colleagues from here in the Senate said these words: "Mr. Kan, from your time at the Department of Transportation, I know you to be a talented and thoughtful leader who can work collaboratively with Congress and others to find common ground."

Think about those words: "who can work collaboratively with Congress and others to find common ground."

Another of our Democratic colleagues said of Derek Kan: "Derek Kan is a serious, smart person and a vast improvement over the previously mentioned names."

That is a quote. I will say it again: "Derek Kan is a serious, smart person and a vast improvement over the previously mentioned names."

Now, that is not damning with faint praise. That is, I think, praise. I think it is well earned, and I just wanted to share that with you.

He has been nominated to serve by this administration in a number of positions, and he has gotten the support of Democrats and Republicans—not unanimous support. I wouldn't get unanimous support if I were nominated for something that came through here either—but he has gotten strong support, for the most part.

I was pleased to be able to vote in favor of his confirmation to this particular position. He was confirmed—at that time it was as the Department of Transportation Under Secretary, and I think he was confirmed in the Senate by a vote of 90 to 7.

Prior to this appointment, Mr. Kan served on the Amtrak board of directors, and he was unanimously confirmed to that position by this same body. He doesn't know this, but he and I have something in common. We were both confirmed—I was sitting Governor of Delaware, but I was confirmed to serve as the lone Governor at the time on Amtrak's board of directors. And I was confirmed unanimously. Somehow that slipped through. But that is something that he and I share in common, and he understands well the importance of the capacity of rail service in this country—in this century.

Mr. Kan is also experienced as a policy adviser to our current majority leader and chief economist for the Senate Republican Policy Committee. To put it bluntly, I think he possesses the necessary qualifications and experience for this position.